

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT AND TRANSPORTATION

Call to Order: By **VICE CHAIRMAN MIKE TAYLOR**, on February 17,
1999 at 8:00 A.M., in Room 402 Capitol.

ROLL CALL

Members Present:

Sen. Mike Taylor, Vice Chairman (R)
Sen. Eve Franklin (D)
Sen. Ken Mesaros (R)
Rep. Ray Peck (D)
Rep. Joe Quilici (D)

Members Excused: Rep. Lila Taylor, Chairman (R)

Members Absent: None.

Staff Present: Skip Culver, Legislative Branch
Lynn Daily, Committee Secretary
Greg DeWitt, Legislative Branch
Mary Beth Linder, OBPP
Amy Sassano, OBPP
Jim Turner, Legislative Branch

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Executive Action: Department of Transportation
Department of Administration

EXECUTIVE ACTION ON DOT - CONSTRUCTION PROGRAM

Motion: SEN. TAYLOR moved DP 18 - EXPANDED RESEARCH ACTIVITY
(PAGE A-85).

Discussion:

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Gary Gilmore states that the following amounts were MDT direct research amounts: 1995 - \$627,000; 1996 - \$739,000; 1997 - \$1,264,000; 1998 - \$973,000

SEN. TAYLOR asks what will be their main emphasis. **Mr. Gilmore** says it will be to track research and follow up on research activities. In research there are lots of projects ready to go.

REP. QUILICI asks what type of research is being done. **Mr. Gilmore** says Geogrids which are like a blanket that spread out the pressure and the effect of higher truck weights are just two examples.

SEN. MESAROS asks how largo of involvement does the university system have in research. **Mr. Gilmore** says they use them where they can to the maximum.

Vote: Motion **carried 4-2 with Mesaros and Chairman Taylor voting no.**

Motion: **SEN. TAYLOR** moved **DP 25 - CORES DRILL FTE (PAGE A-84) WITH FUNDING AND WITH NO FTE ATTACHED AND MOVED TO CONTRACT SERVICES.**

Discussion:

SEN. TAYLOR states that this one of those things where they are trying to legitimize FTEs.

SEN. FRANKLIN asks when they build these FTEs in at what point do they say they are not needed any more. **Mr. Gilmore** says they are in the second year of a six year highway bill and after that who knows. **SEN. FRANKLIN** then asks how they respond to personnel on the decrease of the workload. **Marvin Dye** says those can easily be taken care of through attrition. History is probably the best predictor and we know the workload is increasing. In the 1980's they had \$90 Million, under Ice-T they had \$150 Million, and under Tea-21 they had \$250 Million. The amount of money flowing into the highway special revenue program is going to support a bigger program. He sees an decrease beyond 2001.

SEN. MESAROS has a concern looking ahead at term limits. The best interest of the state would be for the Department to come in and have them justify.

Vote: Motion **carried unanimously.**

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EXECUTIVE ACTION ON DOT - TRANSPORTATION PLANNING DIVISION

Motion/Vote: REP. QUILICI moved BASE (PAGE A-107). Motion carried unanimously.

Motion/Vote: SEN. FRANKLIN moved STATE WIDES (PAGE A-107). Motion carried unanimously.

Motion/Vote: SEN. TAYLOR moved DP 2 - EQUIPMENT RENTAL (PAGE A-107). Motion carried unanimously.

Motion/Vote: SEN. TAYLOR moved DP 10 - EQUIPMENT (PAGE A-108). Motion carried unanimously.

Motion: SEN. TAYLOR moved DP 11 - TRAFFIC SAFETY PROGRAM (PAGE A-108).

Discussion:

REP. PECK asks how local government gets involved. Pat Saindon says that money is passed through the local campaign for DUI, seat belts, etc.

Vote: Motion carried unanimously.

Motion/Vote: SEN. TAYLOR moved DP 20 - OVERTIME AND DIFFERENTIAL (PAGE A-108). Motion carried unanimously.

Motion/Vote: SEN. TAYLOR moved DP 1 - TRANPLAN 21 FTES (PAGE A-109). Motion carried unanimously.

Motion/Vote: SEN. TAYLOR moved DP 6 - FTA LOCAL MATCH PASS-THROUGH (PAGE A-109). Motion carried unanimously.

Motion: SEN. TAYLOR moved DP 19 - STATEWIDE TRANSPORTATION PLAN UPDATE.

Discussion:

REP. QUILICI asks if the feds are requiring and would we have a chance to lose this funding. Mrs. Saindon says that is correct, they can't do projects unless they have a plan.

Vote: Motion carried unanimously.

Motion/Vote: SEN. TAYLOR moved DP 35 - ACCOUNTING CHANGE (PAGE A-111). Motion carried unanimously.

{Tape : 1; Side : A; Approx. Time Counter : 0 - 30.5}

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Motion/Vote: REP. PECK moved ADOPTION OF THE LANGUAGE ON PAGE A-111 OF: "THE DEPARTMENT MAY ADJUST APPROPRIATIONS IN THE CONSTRUCTION, MAINTENANCE, AND TRANSPORTATION PLANNING PROGRAMS BETWEEN STATE SPECIAL REVENUE FUND TYPES, PROVIDED THE TOTAL LEGISLATURE FOR EACH PROGRAM. ALL TRANSFERS BETWEEN FUND TYPES MUST BE FULLY EXPLAINED AND JUSTIFIED ON BUDGET DOCUMENTS SUBMIT TO THE OFFICE OF BUDGET AND PROGRAM PLANNING, AND ALL FUND TRANSFERS OF MORE THAN \$1 MILLION IN ANY 30-DAY PERIOD MUST BE COMMUNICATED TO THE LEGISLATIVE FINANCE COMMITTEE IN A WRITTEN REPORT". Motion carried unanimously.

Motion: SEN. TAYLOR moved DP 3 - COMPUTER EQUIPMENT (PAGE A-107) AT \$30,000 OVER THE BASE FOR A BIENNIAL APPROPRIATION AS A ONE TIME ONLY.

Discussion:

SEN. TAYLOR states that there is \$25,000 in the base, \$31,000 for terminals, and \$19,000 for software. It doesn't make sense unless the color plotter is a tremendous amount of money. Mrs. Saindon says that they portable classifiers are expensive. They are \$12,500 for ten and are put on the road to count traffic.

SEN. TAYLOR asks if these are special laptops. Mrs. Saindon says they are \$3,000 each from the state procurement. SEN. TAYLOR then asks what kind they are. Mr. Dye states that they will be what ever is low bid and they are needed for people in the field. SEN. TAYLOR asks how much the printers are and how much the color plotter is. Mrs. Saindon says the printer are \$500 each and the color plotter is \$6,000. SEN. TAYLOR asks why they are asking for 21 inch monitors and how much they are. Mrs. Saindon says the people work on an Oracle base with long spread sheets and cost about \$900 each.

Vote: Motion carried unanimously.

Motion: SEN. MESAROS moved DP 9 - URBAN TRANSPORTATION PLAN UPDATES (PAGE A-107) AS A ONE TIME ONLY.

Discussion:

Mrs. Saindon states that these plans are required about every five years and this money can only be spent for these types of projects.

SEN. FRANKLIN asks could they be more tangible about where the money goes. Mrs. Saindon states that Helena and Kalispell are due for updates in plans and they get a cut of the money for urban projects. Over all a state wide plan is done to determine

how they are going to spend the funds. **SEN. FRANKLIN** than asks how they compete for funds. **Mrs. Saindon** says they let them know a year or two in advance they are going to request a plan update. They are not done any sooner than five years.

SEN. MESAROS asks how much is in the base. **Mrs. Saindon** says they come in every session and ask for because they have new counties who ask every year. **SEN. MESAROS** asks what the requests have been for in the past. **Mrs. Saindon** says they estimate on the size and which community is going to ask for money. Last biennium the request was for \$150,000 in the first year and \$80,000 in the second year. **Mr. Dye** states that the communities can only spend if they have a new plan.

REP. QUILICI states that they now have an urban road going off of an interchange in Butte that takes traffic off of Harrison Avenue. They are very beneficial to the communities.

Vote: Motion **carried unanimously.**

{Tape : 1; Side : B; Approx. Time Counter : 0 - 27.5}

Motion/Vote: **SEN. MESAROS** moved DP 12 - CENSUS TRANSPORTATION PLANNING PACKAGE (PAGE A-108) AS A ONE TIME ONLY. Motion carried unanimously.

EXHIBIT(jgh39a01): STARS (State Truck Activities Reporting System)

Motion: **SEN. MESAROS** moved DP 13 - STARS PROGRAM (PAGE A-109) AS AMENDED: 2 FTE AS A BIENNIAL APPROPRIATION AND FUND 2 FTE IN CONTRACTED SERVICES AS NEEDED.

Discussion:

SEN. MESAROS thinks this program has potential and is a good program but questions the FTE. **Mrs. Saindon** says they anticipate they will hire one at the start and believe they will be up to four by the end of this biennium. If they don't continue to get the funding for this program the program and FTEs will go. This program is being recognized nationally as the way the trucking industry will go.

Vote: Motion **carried unanimously.**

Motion: **REP. QUILICI** moved DP 16 - TEA-21 (PAGE A-110).

Discussion:

SEN. TAYLOR asks why they need nine FTE. **Mrs. Saindon** says they are all a direct result of TEA-21 with and increase in the

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workload in the Department. Some are special requirements of TEA-21. They have to do more work with public involvement.

SEN. TAYLOR asks what rural public transportation is. **Mrs. Saindon** says they have a bus program in Butte. Anything under 50,000 people is rural. **SEN. MESAROS** then asks how much grants money goes into training for the Montana Transit Operations. **Mrs. Saindon** says \$80,000 per year is and it is used most for local transit operations. **SEN. MESAROS** asks how much goes into grants on the safety program. **Mrs. Saindon** says \$500,000 per year.

REP. QUILICI asks what is the qualifications for this type of employment. **Mrs. Saindon** says they are required to pass a test that usually has basic math and they are asked to write a letter and have some planning experience.

SEN. TAYLOR states that some of this must have been done in other departments. **Jim Curry** says they had a similar requirement under ICE-T and now they have a higher requirement. **SEN. TAYLOR** has concerns about whether they will be able to hire nine people. **Jim Curry** states that they are locked into a pay scale.
{Tape : 2; Side : A; Approx. Time Counter : 0 - 30.5}

REP. PECK asks if this money is available as Federal money. **Mr. Dye** believes if the committee doesn't approve this they money will go back to the Federal Government.

Vote: Motion failed 3-3 with Franklin, Peck, and Quilici voting aye.

Motion/Vote: **SEN. TAYLOR** moved DP 16 WITH 7 FTE IN THE PROGRAM. Motion carried unanimously.

No action is take on DP 28 - pooled fund study (Page A-110)

Motion: **SEN. FRANKLIN** moved DP 32 - MONTANA STATE RAIL PLAN UPDATE (PAGE A-110).

Discussion:

Mrs. Saindon says they are updating the State wide rail plan and it hasn't been done since 1993. **SEN. FRANKLIN** asks how this would address fatalities. **Mrs. Saindon** says they do look at accident information.

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CHAIRMAN TAYLOR asks if this a matter of taking their information. **Mrs. Saindon** says they work with all of the shippers in the state that ship with the rail road.

SEN. FRANKLIN asks how much pull they have with Burlington Northern. **Mrs. Saindon** says they don't tell BN anything, but they do work very closely with them.

SEN. TAYLOR asks if they are hiring FTEs. **Mrs. Saindon** says they are one time only people through contracted services.

CHAIRMAN TAYLOR asks how much money is mandated. **Mrs. Saindon** says \$7,500 and the rest of the money is planning dollars. \$7,500 is out of the Federal rail administration and the rest comes from the planning fund which can only be used for planning. **CHAIRMAN TAYLOR** than asks if they do this study and the Tongue River would like some money for leverage could they get it. **Mrs. Saindon** says no because this program gets Federal Funds for local rails and that's bigger.

Vote: Motion **carried unanimously.**

Motion/Vote: **SEN. TAYLOR** moved **LANGUAGE**. Motion carried unanimously.

{Tape : 2; Side : B; Approx. Time Counter : 0 - 27.7}

EXECUTIVE ACTION ON JUDICIARY

EXECUTIVE ACTION ON JUDICIARY - SUPREME COURT OPERATIONS

Motion/Vote: **SEN. TAYLOR** moved **RESTORE DP 2111 - FEDERAL COURT ASSESSMENT PROGRAM (PAGE A-17) FOR \$35,239 AS A ONE TIME ONLY GENERAL FUND MATCH**. Motion carried unanimously.

CITIZENS REVIEW BOARD

REP. QUILICI will let this go for now but thinks it is a good operation and would like to see it expanded.

CHAIRMAN TAYLOR agrees.

SEN. MESAROS also supports the idea.

The committee as a whole believes this is a good idea but are going to hold off until the bill is heard.

EXECUTIVE ACTION ON DEPARTMENT OF ADMINISTRATION

EXECUTIVE ACTION ON DOA - MT PRRIME

SEN. TAYLOR has two main issues with this, the size of MT PRRIME and the rates. He has collected several pages of documents. There is a concern in the body about the size of MT PRRIME. In 1997 when it was funded, there were some misunderstandings of what it was going to take to maintain it. At this time they can't just the funding because the state does need a payroll system. Modules cost about \$285,000 each and there are some very strong opinions about how big this can be. He has some rate projections based on the research he has done that will allow them to grow but maybe not as fast as they would like. They may be able to go to the university system to get interns. There is approximately \$10 Million in costs: \$4 Million for bonding, \$4 Million in the agency administration costs, and \$2 Million in other items not counting computer terminals.

EXHIBIT (jgh39a02): MT PRRIME Costs in Agency Budgets

EXHIBIT (jgh39a03): Fiscal Year 2000 MT PRRIME Related Costs

REP. QUILICI asks if various agencies have the cost built into their budgets. **Mary Beth Linder** says yes.

{Tape : 3; Side : A; Approx. Time Counter : 0 - 30.3}

Jim Turner states that there are two ways to fund this, fixed costs allocations or direct General Fund Appropriation request.

Motion: **SEN. TAYLOR** moved **THE PORTION OF MT PRRIME OPERATIONS BUREAU BUDGET ALLOCATED TO AGENCIES AS A FIXED COST. I FURTHER MOVE TO ACCEPT THE "GENERAL FUND FOR MT PRRIME" NEW PROPOSAL WITH AMOUNTS F \$213,350 IN FISCAL 2000 AND \$241,018 IN FISCAL 2001. THE TOTAL BUDGET FOR THE OPERATIONS BUREAU WOULD BE \$2,829,255 FOR FISCAL 2000 AND \$2,896,588 FOR FISCAL 201. THESE AMOUNTS MAY BE USED TO FUND THEIR PERSONAL SERVICES COSTS OF 22.0 FTE AND FOR OTHER BUREAU OPERATIONS. I ALSO MOVE THE FOLLOWING LANGUAGE BE INCLUDED IN HB 2: "IN ADDITION TO THE 22.0 FTE AUTHORIZED IN MT PRRIME OPERATIONS BUREAU BUDGET, THE LEGISLATURE AUTHORIZES THE EXECUTIVE TO TRANSFER UP TO 4.0 EXISTING FTE TO THE OPERATIONS BUREAU. FUNDING ASSOCIATED WITH ANY TRANSFERRED FTE WILL ALSO TRANSFER TO THE OPERATIONS BUREAU AND PERSONAL SERVICES COSTS FOR ANY TRANSFERRED FTE WILL BE RECORDED IN THE BASE EXPENDITURES OF THE MT PRRIME OPERATIONS BUREAU AND NOT IN THE AGENCY TRANSFERRING THE FTE. THE LEGISLATURE ALSO ENCOURAGES THE EXECUTIVE TO EXPLORE WAYS TO RECRUIT MONTANA COLLEGE STUDENTS TO WORK IN THE MT PRRIME**

**OPERATIONS BUREAU INCLUDING WAYS TO OFFER CREDITS OR OTHER METHODS
AS ALLOWED BY LAW.**

Discussion:

Jim Turner states that the original budget proposal was for 30 new FTEs and Sen. Taylor's is for 22 new FTEs.

REP. QUILICI asks if the agency has had a chance to look at this. **Lois Menzies** says they did have a heads up that there would be significant cuts. She believes they need 30 people to do this job. They're not sure how much this is going to take. She doesn't want to come back in two years and say they couldn't do it. They want to get the job done.

SEN. MESAROS recognizes the concern. The focus is on money and he thinks this is going to be a hard sell in full approps.

Vote: Motion carried unanimously.

{Tape : 3; Side : B; Approx. Time Counter : 0 - 27.8}

Motion/Vote: REP. QUILICI moved DP 8 - ACCOUNTING BUREAU ADJUSTMENT (PAGE A-143). Motion carried unanimously.

Motion/Vote: SEN. TAYLOR moved DP 1 - ADJUSTMENTS TO BASE (PAGE A-187). Motion carried unanimously.

Motion/Vote: SEN. TAYLOR moved STATE PAYROLL UNIT RATES (PAGE A-194). Motion carried unanimously.

EXECUTIVE ACTION ON DOA - PUBLIC SAFETY RADIO

SEN. TAYLOR states he has a problem with this request.

Tony Herbert says during the current biennium they spent \$560,000 on a consultant. If they don't move with the request, they will not be able to finish off the design. This funding is the last step to bringing forth a proposal as to them doing this.

CHAIRMAN TAYLOR states that they don't seem to have everyone on board. **Mr. Herbert** says this system has been working with local government and it's very difficult to contact every local commissioner. It's a very expensive complicated program that will save local government a lot of money in the end.

SEN. MESAROS believes there is a need for this, but is very concerned this is driven from the top down.

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REP. PECK states that the counties don't have the money for this.

CHAIRMAN TAYLOR states that if this is so important to them why don't they do it themselves. **Mr. Herbert** says the prospect is to take this to the Federal Government and get federal money.

SEN. TAYLOR thinks they the committee should pass this to full approps.

Motion/Vote: **REP. QUILICI** moved **TO MOVE TO FULL APPROPRIATIONS.**
Motion carried unanimously.

SEN. TAYLOR states that the last rate was around \$53 and he has heard concern from other agencies that the rates are a big jump.

Motion/Vote: **SEN. TAYLOR** moved **THAT THE INFORMATION SERVICES DIVISION BE AUTHORIZED TO CHARGE VARIOUS RATES IN ORDER TO MAINTAIN A 60-DAY WORKING CAPITAL BALANCE, EXCEPT THAT THE DATE NETWORK RATES MAY NOT EXCEED \$64.59 PER CONNECTION PER MONTH.**
Motion carried unanimously.

EXECUTIVE ACTION ON GOVERNOR'S OFFICE

Motion: **SEN. TAYLOR** moved **TO RESTORE FUNDING IN AMOUNTS OF \$83,914 IN FISCAL 2000 AND \$83,516 IN FISCAL 2001 TO PAY THE PERSONAL SERVICES COSTS OF POSITION NUMBER 10012.**

Discussion:

SEN. TAYLOR states this is the position formerly filled by Linda Reed.

REP. QUILICI concurs with the motion.

Mary Beth states that this position is one of the top advisory positions of the governor.

Vote: Motion failed 3-3 with Mesaros, Quilici, and Sen. Taylor voting aye.

{Tape : 4; Side : A; Approx. Time Counter : 0 - 30.8}

EXHIBIT (jgh39a04): Information Services Division Rate Impact for Computer Processing if DPHHS has Capped Budget.

EXECUTIVE ACTION ON NEW PROPOSAL FOR COMPUTERS IN THE HOUSE AND SENATE

EXHIBIT(jgh39a05): Goals for the Pilot on Use of Computers By
Legislators

Motion: SEN. TAYLOR moved TO ACCEPT THE NEW PROPOSAL FOR
COMPUTERS IN THE HOUSE AND SENATE OF A \$75,000 GENERAL FUND
APPROPRIATION.

Discussion:

SEN. FRANKLIN asks who would be in charge. SEN. TAYLOR states
that he went to Bob. \$25,000 would be for 10 units and \$50,000
would be for support service for the software. SEN. FRANKLIN
believes we are on the right track, but thinks this needs a home.

Vote: Motion carried 5-1 with Franklin voting no.

EXECUTIVE ACTION ON LEGISLATIVE SERVICES

Motion/Vote: REP. PECK moved NEW PROPOSAL DP 2005 TO ADJUST THE
RATE AMOUNT FOR ONE FTE AND ADJUST THE TOTAL REQUEST TO MATCH.
Motion carried unanimously.

EXECUTIVE ACTION ON REALLOCATE FIXED COSTS IN ALL AGENCIES

Motion/Vote: REP. QUILICI moved TO ADJUST ALL AGENCY STATEWIDE
ADJUSTMENTS TO REFLECT THE NEW INDIRECT SERVICES RATES APPROVED
BY THE SUBCOMMITTEE. Motion carried unanimously.

EXECUTIVE ACTION ON CLOSE ALL AGENCY BUDGETS

Motion/Vote: REP. PECK moved TO CLOSE ALL AGENCY BUDGETS UNTIL
CONSIDERATION BY FULL HOUSE APPROPRIATIONS COMMITTEE. Motion
carried unanimously.

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ADJOURNMENT

Adjournment: 12:00 P.M.

REP. LILA TAYLOR, Chairman

LYNN DAILY, Secretary

LT/LD

EXHIBIT (jgh39aad)